IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.179 of 2008
ALODHINI DEVI
Versus
THE STATE OF BIHAR & ORS
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2 16.5.2008. In the instant case, the petitioner has prayed for a direction to the respondent authorities to arrest the sole accused, namely, Manager Yadav (respondent no.5), who committed rape with the petitioner who is a poor Harijan lady which gave rise to Harijan (SC) PS case no. 11 of 2002.

It is submitted on behalf of the petitioner that respondent no.5 is threatening her and in fact he is a terror in the locality. He further submits that the police personnel of the concerned PS are hand in glove with him and not taking any step to nab him who is an accused in as many as seven cases which have been enumerated in detail in para 9 of the writ petition.

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Learned counsel for the State referring to para 12 of the counter affidavit submits that charge sheet have already been submitted against the said respondent no.5 in several cases and in the present case police has submitted charge sheet showing him an absconder. Furthermore, police has prayed for processes under section 82 and latter 83 of the CrP.C. against respondent no.5 to ensure compliance of the order of the court. He also submits that the lady petitioner never lodged any complaint regarding threatening given by the said respondent for withdrawal/compromise of the case.

In view of the seriousness of the allegation, this court directs the Superintendent of Police, Nalanda at Biharsharif as well as

the Zonal IG, Patna to ensure arresting of the respondent no.5 as early as possible.

Learned Magistrate would also take steps to arrest the aforesaid respondent.

This writ petition is allowed. However, it is made clear that the petitioner would be at liberty to move this court again for further direction if this order is not complied within four months.

Shashi. **(S.P.Singh,J).**

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